

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHIGAN HEAD &
SPINE INSTITUTE, P.C.,

Case No. 2:17-cv-13815-SFC-DRG

Plaintiff,

v.

LIBERTY MUTUAL INSURANCE
COMPANY and LIBERTY MUTUAL
FIRE INSURANCE COMPANY,

Hon. Sean F. Cox

Magistrate David R. Grand

Defendants.

**APPENDIX OF EXHIBITS IN SUPPORT OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT**

- A. Affidavit of Preston R. Fischer in Support of Liberty Mutual Insurance Company's Motion for Summary Judgment.
- B. Michigan Personal Auto Policy Jacket AUTO 3422 Ed. 6-94 R1.
- C. Illinois Personal Auto Policy Jacket AUTO 3615 Ed. 6-98.
- D. The Complaint filed on June 25, 2014 in Lebanon Chiropractic Clinic, P.C., v. Liberty Mutual Insurance Company, et al., Illinois Circuit Court for St. Clair County, Case No. 14-1-52.
- E. The Illinois Appellate Court's decision in Lebanon, 2016 IL App (5th) 150111-U (Feb. 9, 2016).
- F. The Stipulation of Settlement in Lebanon, without exhibits, dated October 30, 2014.
- G. The Order Preliminarily Approving Class Settlement in Lebanon, without exhibits, dated October 31, 2014.
- H. Affidavit of Tore Hodne in Support of Liberty Mutual Insurance Company's Motion for Summary Judgment.

- I. The Order Modifying Class Settlement Schedule in Lebanon, dated December 2, 2014.
- J. The Final Order and Judgment Approving Settlement and Dismissing this Action with Prejudice in Lebanon, dated February 23, 2015.
- K. An Objection to Proposed Class Action Settlement, dated January 15, 2015, filed in Lebanon by Attorney Brian McNiff.
- L. The Notice of Intention to Object of Dr. Gregory Gordon, D.C., without exhibits, filed in Lebanon, dated January 21, 2015.
- M. Printout from the Michigan Secretary of State's Website generated on April 10, 2018.
- N. Supplemental Affidavit of Kim Schmidt filed in Lebanon, dated February 13, 2015.
- O. Amended Complaint filed in Michigan Head & Spine Institute, P.C. v. Liberty Mutual Insurance Company, et. al, Docket No. 2017-160261-NF (Oakland County Circuit Court). ¹
- P. Affidavit of Thomas R. Sutcliffe in Support of Liberty's Motion for Summary Judgment.
- Q. Key Cases Cited in Brief in Support of Motion for Summary Judgment.
 - 1. King v. S. Cent. Bell Tel. & Tel. Co., 790 F.2d 524 (6th Cir. 1986).
 - 2. In re Diet Drugs Products Liab. Litig., 431 F.3d 141 (3d Cir. 2005).
 - 3. Liberty Mutual Ins. Co. v. Peoples Best Care Chiropractic and Rehab. Inc., 1684CV01239BLS2, 2017 WL 2427562 (Mass Super. Ct., April 7, 2017).

¹ Some of the exhibits originally attached to the Amended Complaint, which are not relevant here, have been omitted.